

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

SHEET METAL WORKERS LOCAL 265	)	
WELFARE FUND, et. al.,	)	
	)	
Plaintiffs,	)	
vs.	)	
	)	
TAMARACK HEATING & COOLING, INC.,	)	Civil Action
an Illinois corporation,	)	
	)	No. 08 C 1712
Defendant,	)	
and	)	Judge Ruben Castillo
	)	
FIRST COMMUNITY BANK,	)	Return Date: <u>September 3, 2008</u>
13717 S. US Route 30, #137	)	
Plainfield, IL 60544	)	
	)	
Garnishee,	)	

ANSWERS TO  
INTERROGATORIES TO GARNISHEE

1. When you were served with summons, did you have in your possession, custody or control any property belonging to the judgment debtor or in which he or she had an interest?

ANSWER: No.

2. If you answer is yes, describe the property: N/A.

3. When you were served with the summons, were you otherwise indebted to him or her, no matter when payable?

ANSWER: Yes.

4. If your answer is yes, state:

Description: Checking Account No. 1703701.  
Amount: \$1,509.22\*  
Date Due: N/A  
\*(see Paragraph 5 below)

5. Garnishee further answers that on the date the summons was served on garnishee, the judgment debtor was indebted to garnishee in the sum of \$3,821,281.74. Pursuant to Section 12-708 of the Illinois Code of Civil Procedure [735 ILCS 5/12-708], garnishee asserts its right and does hereby offset the balance due judgment debtor in the sum of \$1,509.22 against the indebtedness due garnishee, leaving no balance available to the judgment creditor/plaintiff herein.

6. Garnishee certifies that a copy of this answer was filed with the Clerk of Court and copies were transmitted or mailed to the attorney for the plaintiff/judgment creditor and the judgment debtor.

First Community Bank, Garnishee

By: Jacqueline D. Fairbairn  
Jacqueline D. Fairbairn,  
Assistant Vice-President/  
Operations Manager

State of Illinois )  
                                  ) ss.  
County of Will )

Jacqueline D. Fairbairn, on oath deposes and says that she is an Assistant Vice President/Operations Manager of the above-named garnishee, and has full knowledge of the facts stated in the above answers; and that the answers are true in substance and in fact.

Jacqueline D. Fairbairn  
Jacqueline D. Fairbairn

Signed and sworn to before me  
this 5th day of September, 2008.

A. Michael Wojtak  
Notary Public



Lawrence M. Kaschak –ARDC#06207194  
A. Michael Wojtak – ARDC#03127831  
Tracy, Johnson & Wilson  
Attorneys for Garnishee  
2801 Black Road, 2<sup>nd</sup> Floor  
Joliet, Illinois 60435  
Ph. (815) 723-8500

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**NOTICE OF FILING**

TO: See attached Certificate of Service

PLEASE BE ADVISED that on the 8th day of September, 2008, the undersigned caused the Answers to Interrogatories to Garnishee to be filed electronically through the Northern District of Illinois CM/ECF system, a copy of which is attached hereto.

First Community Bank, Garnishee

By: /s/ Lawrence M. Kaschak  
Lawrence M. Kaschak, One of their Attorneys

Lawrence M. Kaschak --ARDC#06207194  
A. Michael Wojtak -- ARDC#03127831  
Tracy, Johnson & Wilson  
Attorneys for Garnishee  
2801 Black Road, 2<sup>nd</sup> Floor  
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Ph. (815) 723-8500

**CERTIFICATE OF SERVICE**

I, Lawrence M. Kaschak, an attorney, hereby certify that on September 8, 2008, the Answers to Interrogatories to Garnishee will be sent electronically to the following parties by operation of the Court's electronic filing system and interested persons may access this filing through the Court's system.

Jennifer Dunitz-Geiringer Baum Sigman Auerbach & Neuman, Ltd. 200 W. Adams Suite 2200 Chicago, IL 60606-5231 jdunitz.geiringer@baumsigman.com	Beverly Pazon Alfon Baum Sigman Auerbach & Neuman, Ltd. 200 W. Adams Suite 2200 Chicago, IL 60606-5231 balfon @baumsigman.com	Catherine Chapman Baum Sigman Auerbach & Neuman, Ltd. 200 W. Adams Suite 2200 Chicago, IL 60606-5231 cchapman@baumsigman.com
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September 8, 2008

/s/ Lawrence M. Kaschak  
Lawrence M. Kaschak